

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA
Criminal No. 22-139 (DSD/DTS)

UNITED STATES OF AMERICA,

Plaintiff,

v.

**GOVERNMENT’S POSITION WITH
RESPECT TO SENTENCING**

DENIS VLADMIROVICH MOLLA,

Defendant.

The United States of America, by and through its attorneys, Andrew M. Luger, United States Attorney for the District of Minnesota, and Angela M. Munoz and Kimberly A. Svendsen, Assistant United States Attorneys, submits this memorandum in connection with the sentencing of defendant Denis Vladmirovich Molla.

Molla’s Criminal Conduct

A. Overview

In the early morning hours of September 23, 2020, while his wife and two young children were asleep in the family’s home in Brooklyn Center, Minnesota, Denis Molla set fire to the camper in his driveway. The fire ultimately burned down his camper, destroyed his garage and two vehicles parked near the camper, and significantly damaged the side of the family’s home. Prior to setting the fire, Molla purchased both supplies to start a fire and spray paint. Molla spray painted his garage with “Biden 2020”, “BLM”, and a symbol known to represent Antifa.

Molla claimed he was targeted by supporters of the Black Lives Matter movement and Antifa because he displayed a Trump 2020 flag on his camper. In reality, Molla started the fire to garner support and sympathy for Trump supporters, including himself.

Molla filed multiple fraudulent insurance claims with Victim Insurance Company A for the damage he caused to his home, garage, vehicles, and personal property. Molla collected over \$80,000 in proceeds from fraudulent submissions to Victim Insurance Company A and in donations he collected from members of the public who believed they were supporting a family who were victims of a politically motivated attack.

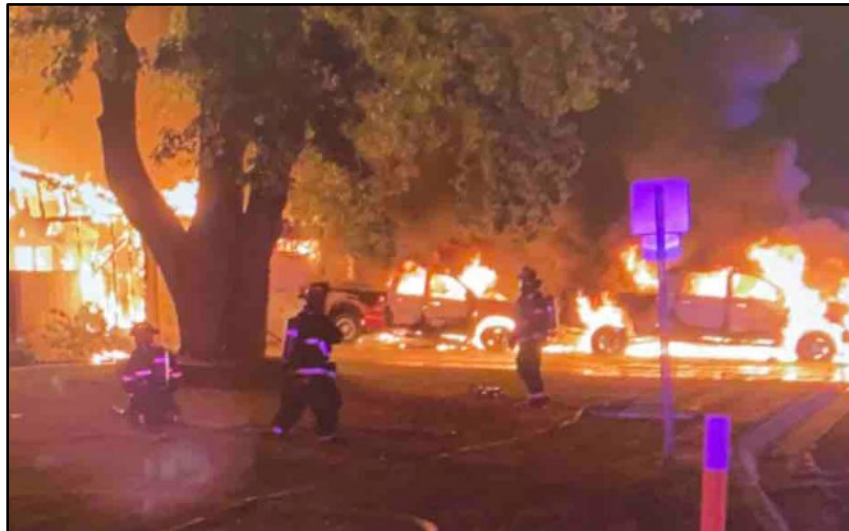
B. The September 23, 2020 “Arson”

On September 23, 2020 at 3:51 a.m., officers with the Brooklyn Center Police Department were dispatched to the area of 69th and Morgan Avenue North in Brooklyn Center, Minnesota. The initial report to law enforcement noted that there was an initial big explosion followed by multiple explosions and visible flames. The responding officers’ written reports document a frightening, chaotic scene.

When officers arrived, they first located two vehicles and a camper in the residential driveway of 6900 Morgan Avenue North that were fully engulfed in flames. The garage located at the residence was beginning to catch fire, and officers observed graffiti on the garage door. A Brooklyn Center Police Officer captured the following photograph as he raced towards the home to look for residents. The graffiti on the garage door states “Biden 2020”, “BLM” (i.e., Black Lives Matter), and the encircled A is a known symbol for Antifa.



The fire rapidly moved towards the home. Because the police officers arrived before the fire fighters, they immediately ran towards the home to look for residents.¹



¹ This photograph was posted on one of the GoFundMe sites created to help the Molla family following the fire.

Officers located Denis Molla holding an infant outside of the home. Molla reported that his wife and another small child were still inside the home. One of the responding police officers ran inside the house and found Mrs. Molla and the small child. Mrs. Molla reported that there were no other people in the house, but that the family's three dogs were in the backyard. At that point in time, the garage became fully engulfed in flames, so the officers ran around to the neighbor's house and pulled down portions of the fence to rescue the dogs. Two dogs were immediately rescued by the responding police officers. The third dog was rescued once the fire department arrived and fire fighters in fire-proof gear were able to rescue the third dog.

The significant danger to Molla's family and first responders created by Molla's fire, and the resulting extensive damage to the garage, portions of the home, and the vehicles and camper/trailer parked in the driveway are best represented by photographs of the aftermath.

The fire destroyed the entire garage and all contents inside.





The heat from the fire melted the exterior of the home where Molla's wife and young children were sleeping when he started the fire.





The fire also caused significant damage to the Molla family's two Dodge Ram trucks.



The fire completely burned the camper parked in the driveway. The charred trailer for the camper is highlighted in the blue circle.



Due to Molla's claims that he was the victim of a crime, local and federal law enforcement treated the location as a crime scene.



C. The Comprehensive Local and Federal “Arson” Investigation

Brooklyn Center police officers took statements from Molla. Molla reported that two weeks before the fire in early September 2020, he hung a Trump 2020 flag on his truck, which he parked in his driveway. The flag was stolen a few days after he hung the flag on his truck. He bought another Trump 2020 flag and displayed it on his camper, which was also parked in the driveway. Molla claimed that in the days after he displayed the flag, unknown vehicles would stop in front of his home and record the flags. He also reported miscellaneous verbal arguments and disagreements that he had with people at work who disagreed with his political views.

With respect to the day of the fire, Molla provided both local and federal law enforcement a detailed, and what was later determined to be a completely false, narrative of what happened on September 23. He claimed that he heard the explosions and simultaneously heard his wife call for him saying that the camper was on fire. Molla reported that he heard people talking outside the egress window in his basement. He claimed he opened the window, removed the screen, and saw “approximately three males . . . at least 6 feet tall.” Molla claimed that he chased them as they ran from his house. Molla then directed his wife to call 911.

Due to the nature of Molla’s report and the concern that the fire was politically-motivated or potentially an act of voter intimidation, local law enforcement contacted the FBI. In short, a robust investigation was triggered following Molla’s reports that he was victimized because of his political beliefs. Local and federal law enforcement did exactly what would be expected of them when a civilian makes a report that their political beliefs

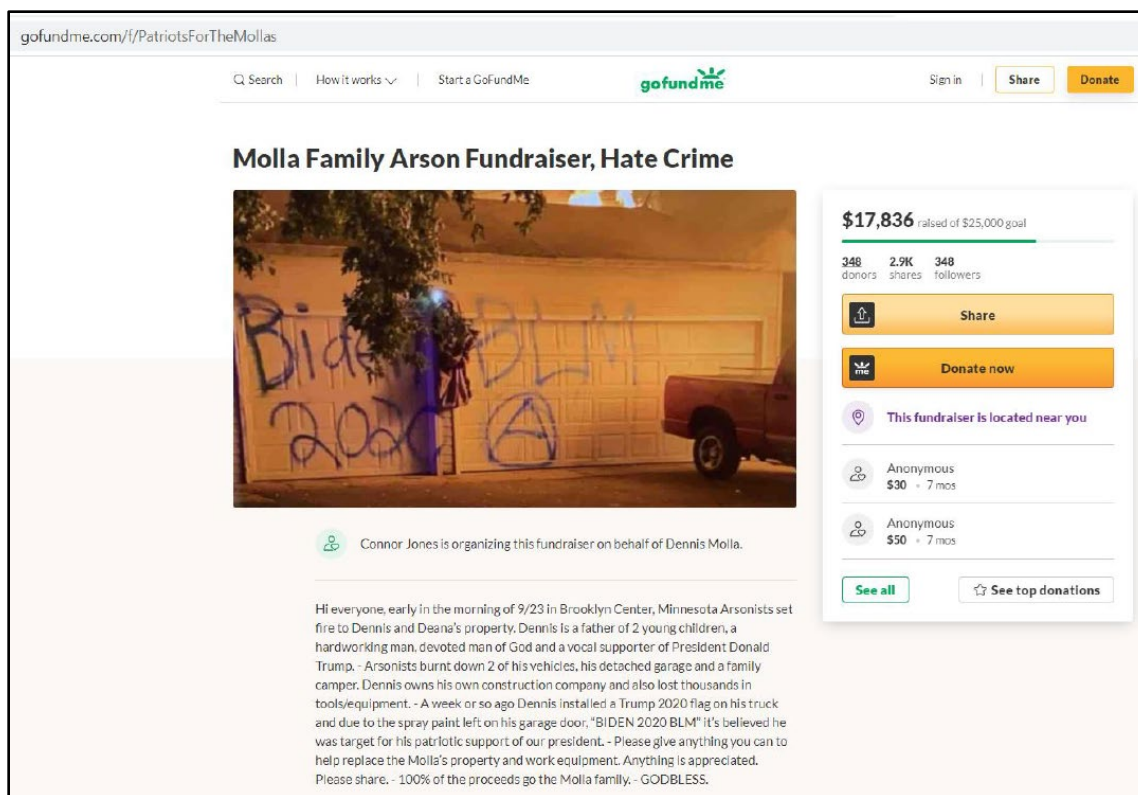
were met with violence. In the hours and days following the early morning 911 call, local and federal law enforcement canvased the neighborhood to conduct interviews and look for residential surveillance cameras in order to find the person(s) who started the fire. The FBI removed a portion of the remaining garage door to send to Quantico for analysis of the spray-painted graffiti, and sought federal legal process for various records and surveillance recordings related to Molla's fraudulent reports.

D. The Funds Collected by Molla Through Fraudulent Means

In addition to the fraudulent reports to law enforcement, Molla further leaned in to his false narrative by giving media interviews, aggressively pursuing insurance claims from Victim Insurance Company A, and defrauding members of the public.

To further his false narrative, Molla participate in multiple interviews with members of the local media where he again reiterated his claim that he was the target of a politically motivated crime. Molla's interviews were featured on both local and national news. *See, e.g., Graffiti Signals Political Motive for Arson Fire*, available at <https://www.kare11.com/article/news/local/graffiti-signals-political-motive-for-arson-fire/89-ebel7ccf-fea9-4240-9905-a1b1044e7d9f> (last accessed February 10, 2023).

After hearing news of the comprehensive damage from the fire, one of Molla's friends – who was not aware of the Molla's lies – created a GoFundMe donation website for Molla and his family. The GoFundMe website included a detailed recitation of the false narrative that Molla reported to law enforcement. Molla accepted approximately \$17,836 in donations from the GoFundMe account set up by his friend.



Molla created a second GoFundMe donation website for himself, which also portrayed his false narrative that he was a victim of a politically motivated crime. Molla collected approximately \$4,395 from this second GoFundMe site.

In addition to collecting the donated funds, Molla submitted four insurance claims to his insurer Victim Insurance Company A. The Mollas had insurance coverage for their home, garage, camper, and two Dodge Ram trucks. Based on Molla's reports of arson, Victim Insurance Company A allowed certain of the claims for the home, garage, camper, and related personal property. Due to the type of insurance that the Mollas had for the Dodge Ram trucks, Victim Insurance Company A did not allow any claims for the destruction of the trucks. Victim Insurance Company A issued the Mollas five checks

totaling \$61,263.05. Molla requested an additional \$244,301.79, which was not funded by Victim Insurance Company A.

A month after starting the fire, Molla was far from remorseful about what he had done. Instead, he doubled down on falsely claiming to be a victim in an effort to extract a significant amount of money from his insurance company. After Victim Insurance Company A denied some of his claims, he sent an email to the insurance adjuster on October 22, 2020 – nearly one month after he set the fire. The email subject line is “Dennis Molla Arson Hate Crime September 23.”

<p>From: dennis_molla [mailto:dennis_molla@yahoo.com] Sent: Thursday, October 22, 2020 10:01 AM To: [Redacted Name of Insurance Adjuster] Subject: [EXTERNAL] Dennis Molla Arson Hate Crime September 23.</p>

Molla’s email is quite lengthy and spends several paragraphs berating Victim Insurance Company A’s response to his family and alleging that they acted fraudulently by denying his claims. He concludes the email with threats to contact the Department of Commerce and the Attorney General to report Victim Insurance Company A’s misconduct. He also invokes the power of the “National News.”

I will also be registering complaints with the Department of Commerce and the Attorney General. As I am sure you have seen, our story made National News. A couple of reporters were very interested in our insurance claim situation. I really do not want to go that route, but I am willing to call those same reporters back for the continued story. Maybe they can help [Redacted] find those recorded phone conversations and the missing insurance coverages from my policy? We are willing to go with any of these options so that our losses are covered as promised. My wife and I refuse to accept these losses, because we worked hard to get to where we are! We will fight to get back what we lost and refuse to "take the loss". We pay for insurance for a reason, and if [Redacted] promised to take care of us, then that is how we expect it to be.

Sincerely,
Dennis Molla

Molla also posted several messages to both GoFundMe sites further complaining about Victim Insurance Company A and what he characterized as a mis-handling of his fraudulent insurance claims.

E. The Fraud Scheme is Uncovered

During the course of the dual federal and local investigations, law enforcement interviewed Molla multiple times. Molla was cooperative, willing to be interviewed, and met law enforcement whenever and wherever they requested. Molla freely relayed his fraudulent narrative on multiple occasions, and consistently reported that he was a victim of a politically motivated crime. Molla's answers to law enforcement inquiries began to conflict however, and the investigation established that Molla started the fire himself and his narratives to law enforcement were false.

The investigation revealed that several days before the fire, Molla was captured on surveillance video buying gas cans, spray paint, and duraflame logs at a Menards in Coon Rapids, Minnesota. Molla moved the angle of his home surveillance cameras shortly before the fire started to direct them away from where he started the fire. He used a fabric cover to physically cover his home surveillance camera.

On July 6, 2021, more than nine months after he started the fire, law enforcement conducted their final interview of Molla and confronted him with the evidence showing that he burned his own property. In the face of this evidence, Molla finally confessed to starting his camper on fire. He admitted that he doused the Trump flag on his camper with paint lacquer and that some of the lacquer spilled on the driveway and dripped on to the bed of his pick up truck. Molla said that the fire spread quickly and the camper caught fire immediately. After lighting the fire, Molla ran back around to the egress window and climbed back inside his house. And, in the hours and days after law enforcement responded to help his family, he admitted that he engaged in an extensive narrative and campaign to portray himself as a victim and financially profit from his scheme.²

On July 7, 2022, a grand jury returned an indictment charging Molla with two counts of wire fraud, in violation of Title 18, United States Code, Section 1343. (ECF No. 1). He timely notified the United States of his intent to plead guilty, and entered a guilty plea to one count of wire fraud on October 11, 2022. (ECF No. 27).

The Applicable Advisory Sentencing Guidelines Range

The parties agree that the Presentence Report issued on December 30, 2022 correctly calculates the applicable advisory Guidelines range. The PSR calculates an adjusted base offense level of 25 and a criminal history category of I, with a resulting

² In the time period between when he confessed to the fraud scheme and the date he was indicted, Molla repaid Victim Insurance Company A the \$61,263.05 that he fraudulently collected.

advisory Guidelines range of 41 to 51 months. The United States asks the Court to adopt the PSR's Guidelines calculations as its own.

The Appropriate Sentence

The United States respectfully requests that the Court sentence Molla to a term of imprisonment at the bottom of the applicable advisory Guidelines range, and to pay restitution to the members of the public who donated to Molla's GoFundMe accounts.³ A term of imprisonment – rather than probation or home confinement – is appropriate here due to the nature and circumstances of Molla's offense conduct.

As depicted in the photographs contained herein, the sheer dangerousness of Molla's actions warrant a serious sentence. He intentionally planned to start a fire at his own home, and took a number of calculated steps to start that fire – including using an accelerant. The date and time of the fire were no accident. Molla picked the date and time when he would pour the accelerant on his own property and then light a match. For reasons unknown to anyone, Molla picked a date and time when his wife, two small children, and his family pets were in the residence sleeping. The size and magnitude of the fire created a seriously dangerous situation for his own family, for the neighborhood where he lived, and to the first responders from the Brooklyn Center police and fire departments who

³ The United States is continuing to work with the members of the public who donated to the GoFundMe sites to obtain their contact information and collect their restitution requests. The United States will provide the Court, the Probation Office, and the Defendant with an updated restitution number, which will be equal to or less than the number in the plea agreement, ahead of the sentencing hearing. To the extent that the restitution requests are less than the amount of money that the Defendant has already provided to the Clerk's Office for restitution, the United States respectfully requests that the Court order the defendant to pay the remaining amount as a fine.

rushed into the danger to both help Molla and his family, and prevent the fire from growing even bigger. It is truly remarkable that no human or animal was seriously injured, and that no lives were lost due to Molla's crimes.

Molla's actions following the fire only served to make a terrible situation even worse. For a significant period of time, Molla chose to carry on with a narrative that was carefully crafted and completely fraudulent. Molla told lie after lie to local law enforcement, federal law enforcement, the media, his family, and concerned members of the community. Molla had numerous chances to stop the fraud and to tell the truth. Yet, time and time again, he chose to lie. Molla's lies stopped only after he was confronted by law enforcement and the inconsistencies and inaccuracies in his narrative. This is not a situation where Molla came clean on his own and chose to correct the false narrative that he put in to the world.

As he admitted in the plea agreement, and further identified in the PSR, Molla's false narrative constituted obstruction. His lies resulted in both federal and local law enforcement expending resources to investigate serious allegations that Molla was targeted because of his political beliefs. Molla's continued lies caused additional investigation, and a significant number of resources were expended.

The fraudulent insurance submissions to Victim Insurance Company A, the subsequent threats he made when he was not paid for his fraud, and donations that he solicited from the public, render a sentence of imprisonment appropriate. Molla sought to profit from his fraud at the expense of others, and for a period of time he successfully did that. The fact that Molla repaid Victim Insurance Company A, and is prepared to pay

restitution to the GoFundMe donors underscores his acceptance of responsibility and his effort to correct his actions. Molla's financial ability to pay restitution immediately does not mean that a prison sentence is inappropriate.

The point in time when Molla chose to commit these crimes further underscores both the seriousness and danger of his conduct. Molla's fire and the subsequent claims that he was targeted for his political beliefs occurred in the months leading up to the November 2020 election. It is undisputed that this period of time was an incredibly tumultuous time in our country where individuals from all walks of the political spectrum carried deeply held beliefs. Molla's actions both literally and figuratively fueled fire in our country. His very vocal and public blame of members from political, community, and social groups that he disagreed with further contributed to the divide.

As to the history and characteristics of the defendant, the PSR includes a number of facts that reflect positively on Molla. He and his family immigrated to the United States, and simultaneously learned a new language and adjusted to living in a new country. Molla is clearly supported by his family, has started a family of his own, and has been employed. Notably, Molla chose to timely resolve the charges against him, and has taken steps to establish his acceptance of responsibility. Although these personal characteristics are commendable, and should be recognized, they are not sufficient to permit Molla from avoiding the consequences of his choice to intentionally start a dangerous fire, put forth a very public false narrative, and then financially profit from the fraud.

Taking into consideration the Sentencing Guidelines, as well as the other factors required to be considered under § 3553(a), the United States respectfully suggests that a

sentence within the appropriate applicable Sentencing Guidelines range appropriately reflects the seriousness of Molla's crime while taking into account his mitigating circumstances, promotes respect for the law, provides a just punishment, and will deter Molla and others from committing dangerous crimes, providing false narratives to law enforcement, and then profiting from their schemes.

Conclusion

For the foregoing reasons, the United States respectfully requests that the Court sentence the defendant, Denis Vladimirovich Molla, to a sentence of imprisonment at the bottom of the appropriate applicable Sentencing Guidelines range.

Dated: February 10, 2023

Respectfully Submitted,

ANDREW M. LUGER
United States Attorney

/s/ Angela M. Munoz

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